

IS MERRICK GARLAND CONSERVATIVE

IS MERRICK GARLAND CONSERVATIVE IS A QUESTION THAT HAS ATTRACTED SIGNIFICANT ATTENTION IN POLITICAL AND LEGAL CIRCLES. AS THE ATTORNEY GENERAL OF THE UNITED STATES AND A FORMER FEDERAL JUDGE, MERRICK GARLAND'S JUDICIAL PHILOSOPHY AND POLITICAL LEANINGS HAVE BEEN SCRUTINIZED EXTENSIVELY. UNDERSTANDING WHETHER GARLAND IS CONSERVATIVE INVOLVES EXAMINING HIS CAREER, JUDICIAL DECISIONS, AND PUBLIC STATEMENTS. THIS ARTICLE DELVES INTO GARLAND'S BACKGROUND, HIS TENURE ON THE BENCH, AND HIS ROLE AS ATTORNEY GENERAL TO PROVIDE A COMPREHENSIVE PERSPECTIVE. IT WILL ALSO EXPLORE HOW HIS APPROACH ALIGNS OR DIVERGES FROM CONSERVATIVE PRINCIPLES AND WHAT THAT MEANS FOR HIS INFLUENCE ON AMERICAN LAW AND POLICY. THIS ANALYSIS SEEKS TO CLARIFY THE NUANCES BEHIND THE QUESTION AND OFFER A WELL-ROUNDED UNDERSTANDING OF MERRICK GARLAND'S IDEOLOGICAL STANCE.

- BACKGROUND AND CAREER OVERVIEW
- JUDICIAL PHILOSOPHY AND RECORD
- POLITICAL AFFILIATIONS AND PUBLIC PERCEPTION
- MERRICK GARLAND'S ROLE AS ATTORNEY GENERAL
- ANALYSIS OF CONSERVATIVE ALIGNMENT

BACKGROUND AND CAREER OVERVIEW

MERRICK GARLAND HAS HAD A DISTINGUISHED CAREER IN LAW, SERVING IN VARIOUS CAPACITIES THAT HAVE SHAPED HIS REPUTATION. BORN IN 1952, GARLAND GRADUATED FROM HARVARD LAW SCHOOL AND QUICKLY ESTABLISHED HIMSELF AS A FORMIDABLE LEGAL MIND. HE CLERKED FOR INFLUENTIAL SUPREME COURT JUSTICE WILLIAM J. BRENNAN JR., KNOWN FOR HIS PROGRESSIVE VIEWS, WHICH PROVIDES EARLY INSIGHT INTO GARLAND'S EXPOSURE TO A BROAD SPECTRUM OF JUDICIAL THOUGHT.

GARLAND LATER SERVED AS A FEDERAL PROSECUTOR AND THEN AS A JUDGE ON THE U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT, OFTEN REGARDED AS THE SECOND MOST POWERFUL COURT IN THE COUNTRY. HIS JUDICIAL TENURE WAS MARKED BY A MODERATE AND METICULOUS APPROACH TO CASES, OFTEN EMPHASIZING THE IMPORTANCE OF PRECEDENT AND LEGAL STABILITY. GARLAND'S NOMINATION TO THE SUPREME COURT BY PRESIDENT OBAMA IN 2016 WAS NOTABLE FOR HIS REPUTATION AS A CONSENSUS BUILDER RATHER THAN A PARTISAN FIGURE, YET THE SENATE DID NOT HOLD HEARINGS, LEAVING HIS JUDICIAL PHILOSOPHY A SUBJECT OF DEBATE.

JUDICIAL PHILOSOPHY AND RECORD

EXAMINING MERRICK GARLAND'S JUDICIAL PHILOSOPHY IS ESSENTIAL TO UNDERSTANDING WHETHER HE ALIGNS WITH CONSERVATIVE PRINCIPLES. GARLAND IS OFTEN DESCRIBED AS A CENTRIST OR MODERATE, FOCUSING ON LEGAL PRAGMATISM RATHER THAN IDEOLOGICAL EXTREMES. HIS RULINGS TYPICALLY REFLECT A CAREFUL BALANCING OF LEGAL INTERPRETATION AND DEFERENCE TO LEGISLATIVE INTENT.

APPROACH TO CONSTITUTIONAL INTERPRETATION

GARLAND'S APPROACH TO CONSTITUTIONAL LAW TENDS TO AVOID ORIGINALISM, A FAVORED METHOD AMONG CONSERVATIVES. INSTEAD, HE DEMONSTRATES A PREFERENCE FOR A MORE PRAGMATIC AND PRECEDENT-BASED METHODOLOGY. HIS JUDICIAL OPINIONS OFTEN EMPHASIZE THE IMPORTANCE OF CONTEXT AND THE EVOLVING NATURE OF LAW, DISTINGUISHING HIM FROM STRICT CONSERVATIVE JURISTS WHO PRIORITIZE THE FRAMERS' ORIGINAL INTENT.

NOTABLE CASES AND DECISIONS

DURING HIS TIME ON THE D.C. CIRCUIT, GARLAND PARTICIPATED IN DECISIONS INVOLVING ADMINISTRATIVE LAW, NATIONAL SECURITY, AND CIVIL RIGHTS. SOME OF HIS RULINGS SUPPORTED EXPANDED GOVERNMENTAL AUTHORITY, ALIGNING WITH MORE LIBERAL OR MODERATE VIEWS, WHILE OTHERS REFLECTED RESTRAINT IN JUDICIAL ACTIVISM, A TRAIT ADMIRER BY CONSERVATIVES.

- SUPPORTED GOVERNMENT REGULATORY POWER IN ENVIRONMENTAL AND ADMINISTRATIVE CASES
- UPHOLD INDIVIDUAL RIGHTS IN CERTAIN CIVIL LIBERTIES CASES
- DEMONSTRATED DEFERENCE TO EXECUTIVE AUTHORITY IN NATIONAL SECURITY MATTERS

OVERALL, HIS RECORD DOES NOT FIT NEATLY INTO A CONSERVATIVE MOLD BUT RATHER PRESENTS A NUANCED LEGAL PHILOSOPHY FOCUSED ON BALANCE AND MODERATION.

POLITICAL AFFILIATIONS AND PUBLIC PERCEPTION

WHILE MERRICK GARLAND IS A REGISTERED DEMOCRAT, HIS CAREER HAS BEEN CHARACTERIZED BY A LOW-PROFILE, NONPARTISAN IMAGE. UNLIKE MANY JUDGES WHOSE DECISIONS CLEARLY REFLECT PARTISAN LEANINGS, GARLAND HAS MAINTAINED A REPUTATION FOR IMPARTIALITY AND JUDICIAL RESTRAINT.

SENATE CONFIRMATION AND POLITICAL CONTROVERSY

GARLAND'S 2016 SUPREME COURT NOMINATION WAS BLOCKED BY SENATE REPUBLICANS, WHO ARGUED THAT HIS JUDICIAL PHILOSOPHY WAS TOO LIBERAL OR ACTIVIST FOR THEIR LIKING. HOWEVER, SOME CONSERVATIVE COMMENTATORS ACKNOWLEDGED HIS MODERATE RECORD. THIS POLITICAL IMPASSE CONTRIBUTED TO PUBLIC CONFUSION ABOUT WHETHER GARLAND SHOULD BE LABELED CONSERVATIVE, LIBERAL, OR MODERATE.

MEDIA AND PUBLIC OPINION

IN PUBLIC DISCOURSE, GARLAND IS SOMETIMES PORTRAYED AS A CENTRIST OR A PRAGMATIC MODERATE RATHER THAN A STAUNCH CONSERVATIVE. HIS APPOINTMENT AS ATTORNEY GENERAL BY PRESIDENT JOE BIDEN FURTHER REINFORCED PERCEPTIONS OF GARLAND AS ALIGNED WITH MAINSTREAM DEMOCRATIC POLICIES, ESPECIALLY IN AREAS LIKE CIVIL RIGHTS ENFORCEMENT AND CRIMINAL JUSTICE REFORM.

MERRICK GARLAND'S ROLE AS ATTORNEY GENERAL

AS THE U.S. ATTORNEY GENERAL SINCE 2021, MERRICK GARLAND'S ACTIONS AND POLICIES OFFER ADDITIONAL INSIGHT INTO HIS IDEOLOGICAL STANCE. HIS TENURE REFLECTS PRIORITIES CONSISTENT WITH THE BIDEN ADMINISTRATION'S AGENDA, FOCUSING ON JUSTICE EQUITY, PROTECTING VOTING RIGHTS, AND UPHOLDING FEDERAL LAW ENFORCEMENT INTEGRITY.

KEY POLICY INITIATIVES

GARLAND HAS OVERSEEN EFFORTS TO COMBAT DOMESTIC TERRORISM, ADDRESS CIVIL RIGHTS VIOLATIONS, AND REFORM POLICING PRACTICES. THESE INITIATIVES ALIGN MORE CLOSELY WITH PROGRESSIVE AND MODERATE DEMOCRATIC PRIORITIES THAN WITH CONSERVATIVE ONES.

INTERACTIONS WITH CONSERVATIVE ISSUES

DESPITE LEADING A DEPARTMENT OFTEN CRITICIZED BY CONSERVATIVES, GARLAND HAS SOUGHT TO MAINTAIN THE DOJ'S INDEPENDENCE AND AVOID OVERT POLITICIZATION. HIS STEWARDSHIP IS MARKED BY UPHOLDING THE RULE OF LAW, EVEN IN CONTENTIOUS AREAS SUCH AS ELECTION SECURITY AND IMMIGRATION ENFORCEMENT.

ANALYSIS OF CONSERVATIVE ALIGNMENT

DETERMINING WHETHER MERRICK GARLAND IS CONSERVATIVE REQUIRES SYNTHESIZING HIS JUDICIAL PHILOSOPHY, CAREER HISTORY, AND CURRENT POLICY PRIORITIES. GARLAND'S RECORD SUGGESTS A LEGAL THINKER COMMITTED TO MODERATION, BALANCE, AND DEFERENCE TO INSTITUTIONAL PROCESSES RATHER THAN IDEOLOGICAL RIGIDITY.

FACTORS SUPPORTING CONSERVATIVE LABEL

- JUDICIAL RESTRAINT AND RESPECT FOR PRECEDENT
- DEFERENCE TO EXECUTIVE AUTHORITY IN NATIONAL SECURITY CASES
- EMPHASIS ON RULE OF LAW AND AVOIDING JUDICIAL ACTIVISM

FACTORS AGAINST CONSERVATIVE LABEL

- REGISTERED DEMOCRAT WITH MAINSTREAM DEMOCRATIC POLICY ALIGNMENT
- SUPPORT FOR CIVIL RIGHTS EXPANSION AND VOTING RIGHTS PROTECTIONS
- PRAGMATIC CONSTITUTIONAL INTERPRETATION RATHER THAN ORIGINALISM

OVERALL, MERRICK GARLAND IS BEST DESCRIBED AS A CENTRIST OR MODERATE LEGAL FIGURE RATHER THAN A CONSERVATIVE IN THE TRADITIONAL SENSE. HIS APPROACH BALANCES RESPECT FOR LEGAL TRADITION WITH A COMMITMENT TO JUSTICE AND EQUITY, DISTINGUISHING HIM FROM MORE IDEOLOGICALLY DRIVEN CONSERVATIVE JURISTS.

FREQUENTLY ASKED QUESTIONS

IS MERRICK GARLAND CONSIDERED A CONSERVATIVE JUDGE?

MERRICK GARLAND IS GENERALLY VIEWED AS A MODERATE TO LIBERAL JUDGE RATHER THAN A CONSERVATIVE. HIS JUDICIAL RECORD REFLECTS CENTRIST AND PRAGMATIC DECISIONS.

WHAT IS MERRICK GARLAND'S POLITICAL IDEOLOGY?

MERRICK GARLAND IS OFTEN CHARACTERIZED AS A CENTRIST OR MODERATE WITH A PRAGMATIC APPROACH, AVOIDING STRONG IDEOLOGICAL POSITIONS COMMONLY ASSOCIATED WITH CONSERVATIVE OR LIBERAL LABELS.

How has Merrick Garland ruled on conservative issues?

Merrick Garland's rulings have sometimes aligned with conservative views, but overall, he tends to balance legal principles without a clear conservative bias.

Did Merrick Garland receive support from conservatives?

Merrick Garland received limited support from conservative politicians, as many viewed him as more aligned with moderate or liberal perspectives.

Is Merrick Garland's appointment seen as a conservative or liberal move?

Merrick Garland's appointment by President Obama was seen as a moderate to liberal choice, not a conservative one.

How does Merrick Garland's judicial philosophy compare to conservative justices?

Merrick Garland's judicial philosophy is more centrist and focused on consensus and legal precedent, contrasting with the more ideologically conservative approach of some Supreme Court justices.

Additional Resources

1. *The Judicial Philosophy of Merrick Garland: A Conservative Perspective*

This book explores the legal philosophies and decisions of Merrick Garland, analyzing whether his judicial approach aligns with conservative principles. It delves into his rulings on key cases, examining his stance on constitutional interpretation, federal power, and individual rights. The author provides a balanced view, comparing Garland's record to other conservative judges.

2. *Merrick Garland and the Conservative Court: Myth or Reality?*

This book investigates the claim that Merrick Garland embodies conservative judicial values. By reviewing his career, from the D.C. Circuit Court of Appeals to his nomination to the Supreme Court, the author assesses Garland's political and ideological leanings. It discusses the implications of his potential confirmation on the balance of the Court.

3. *Conservative or Centrist? Unpacking Merrick Garland's Legal Legacy*

Focusing on Garland's judicial record, this book examines whether he should be classified as a conservative or a centrist. It provides case studies illustrating Garland's decisions on issues like healthcare, executive power, and civil rights. The analysis highlights the complexity of labeling judges within strict ideological categories.

4. *The Garland Nomination Debate: Conservatism on Trial*

This title covers the political and legal debates surrounding Merrick Garland's Supreme Court nomination in 2016. It discusses the Republican Senate's refusal to hold hearings and the arguments about Garland's conservatism or liberalism. The book offers insights into the partisan struggles over judicial appointments.

5. *Merrick Garland's Role in Shaping Conservative Jurisprudence*

This book traces Garland's influence on conservative legal thought through his judgments and writings. It argues that despite being considered a moderate, Garland's decisions often reflect conservative judicial principles like restraint and respect for precedent. The author evaluates his impact on the broader conservative legal movement.

6. *Is Merrick Garland a Conservative? Analyzing His Court Opinions*

A detailed examination of Garland's court opinions, this book assesses whether his rulings align with conservative ideology. It looks closely at his interpretations of the Constitution, administrative law, and criminal justice matters. Readers gain a nuanced understanding of Garland's judicial approach.

7. *THE CONSERVATIVE LEGAL MIND AND MERRICK GARLAND: COMPATIBILITY EXAMINED*

THIS WORK EXPLORES THE COMPATIBILITY OF GARLAND'S LEGAL REASONING WITH CONSERVATIVE JURISPRUDENCE. IT DISCUSSES FOUNDATIONAL CONSERVATIVE LEGAL THEORIES AND COMPARES THEM WITH GARLAND'S DOCUMENTED OPINIONS AND SPEECHES. THE BOOK PROVIDES A FRAMEWORK FOR UNDERSTANDING WHERE GARLAND FITS ON THE IDEOLOGICAL SPECTRUM.

8. *MERRICK GARLAND: BALANCING CONSERVATISM AND PROGRESSIVISM ON THE BENCH*

HIGHLIGHTING GARLAND'S MODERATE REPUTATION, THIS BOOK DISCUSSES HOW HE BALANCES CONSERVATIVE AND PROGRESSIVE VALUES IN HIS JUDICIAL DECISIONS. IT EXPLORES HIS APPROACH TO CONTROVERSIAL ISSUES LIKE RELIGIOUS FREEDOM, AFFIRMATIVE ACTION, AND REGULATORY POWER. THE AUTHOR ARGUES THAT GARLAND'S JURISPRUDENCE DEFIES SIMPLE CATEGORIZATION.

9. *THE POLITICS OF MERRICK GARLAND: CONSERVATIVE CLAIMS AND REALITIES*

THIS BOOK EXAMINES THE POLITICAL NARRATIVES SURROUNDING GARLAND'S JUDICIAL IDENTITY, PARTICULARLY CLAIMS OF CONSERVATISM. IT ANALYZES MEDIA PORTRAYALS, POLITICAL RHETORIC, AND GARLAND'S OWN STATEMENTS TO SEPARATE FACT FROM PERCEPTION. THE WORK OFFERS A COMPREHENSIVE VIEW OF GARLAND'S PLACE IN CONTEMPORARY JUDICIAL POLITICS.

Is Merrick Garland Conservative

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is merrick garland conservative: Who Are Conservatives and What Do They Believe In?

Cathleen Small, 2019-07-15 Since the modern conservative movement began nearly a century ago, conservatives have made up a large segment of the American population. Readers will trace conservatism from the Great Depression of the 1930s through the modern day under the Trump administration. Conservatism experienced a unifying shift under President Ronald Reagan in the early 1980s and has been thrust into the forefront in the twenty-first century, whereas it had been more of a quiet majority for many years before. Readers will follow that journey and learn more about what it means to be a fiscal conservative or a social conservative, how the ideology of conservatism differs from specific political parties, and how the current political parties break down into conservatives and liberals.

is merrick garland conservative: MAGA and the White Social Conservative Worldview Arthur H. Garrison, 2024-02-15 MAGA and the White Social Conservative Worldview: The Rhetoric that Colonized the Republican Party examines how political narratives of the American myth created the road that Donald Trump used to colonize and take control of not only the Republican Party but the Republican base voter that was created through the political narratives of politicians including Thomas Jefferson, John Calhoun, Strom Thurmond, George Wallace, Barry Goldwater, Ronald Reagan, Richard Nixon, Pat Buchanan, and Newt Gingrich. All of which culminated in the rhetoric and politics of the Tea Party and its subsequent champion Donald Trump. MAGA and the White Social Conservative Worldview examines how Trump benefited from decades of resentment, Southern Strategy politics and narratives within White social conservatism within the Republican Party. Donald Trump is the heir of the party, with the seismic party change of Strom Thurmond and a large bloc of Southern voters in reaction to Civil Rights and Voting Rights Acts of the 1960s and the Republican's ultimate adoption of the politics of states' rights and fear of tyranny from the federal government. This book summarizes foundational rhetorical narratives of the Whitesocial conservative worldview that formed the basis for the rise of its newest incantation - Trumpism and

how this newest iteration of ideas dating back to Jefferson and Calhoun colonized the modern Republican Party.

is merrick garland conservative: *The Conservative Revolution of Antonin Scalia* Howard Schweber, David A Schultz, 2020-07-07 Many hoped or feared that Antonin Scalia's appointment to the Supreme Court in 1986 would guarantee a conservative counter-revolution that would reverse the liberal jurisprudence of the Supreme Court under Chief Justice Earl Warren and which was continued to some extent under the Burger Court though the influence of Justice William Brennan. In addition, President Reagan described Scalia's nomination as part of a project to remake the role of the Court, promote an interpretive approach of originalism, and shift authority and discretion to the States. Yet by the time of his death in 2016 it was unclear to what extent Scalia had effected the legal, institutional, or political revolutions that had been anticipated. While the Court did move to the right doctrinally, and reversed or modified many Vinson-Warren-Burger precedents, Scalia's influence on constitutional jurisprudence turned out to be far less than it could have been, and his ability to persuade other Justices to adopt his legal views—both substantively and methodologically—was less than many mainstream media accounts recognize. Scalia's institutional and political legacies are similarly complex: he was neither as transformative a figure as some of his allies might have hoped nor so unimportant as some of his detractors might have wished. The fact that his death and the controversy surrounding his replacement is so intense speaks to the fragile legacy that Scalia really has had on the Supreme Court after 30 years. This book will assess Scalia's legacy in an edited volume that assembles leading legal and political science scholars who will evaluate his impact across a range of jurisprudential, institutional, and political issues.

is merrick garland conservative: *The Rights Turn in Conservative Christian Politics* Andrew R. Lewis, 2017-10-19 Explains how abortion politics influenced a fundamental shift in conservative Christian politics, teaching conservatives to embrace rights arguments.

is merrick garland conservative: *The Republican Resistance* Jeff R. DeWitt, Andrew L. Pieper, 2020-10-23 The election of Donald Trump as President of the United States in November 2016 was a political earthquake, one supporters and detractors alike agree has changed the course of history. The policy implications have been stark and will continue well beyond his presidency. The political implications have been perhaps even more drastic—for both political parties. Trump has shaken the 40-year-old coalition of traditional conservatives, orthodox religious voters, and free-market libertarians that has long-composed the Republican Party. *The Republican Resistance: #NeverTrump* Conservatives and the Future of the GOP explores the members of that coalition, especially traditional, establishment-oriented Republicans and conservative intellectuals who opposed his candidacy, who generally still oppose his presidency, and who represent the elite-in-waiting that believes it will have to rebuild the GOP when the Trump coalition implodes. In the end, *The Republican Resistance* argues that the Trump presidency and the #NeverTrump countermovement reflect key features of modern American politics which both major political parties must contend: the rise of a populist insurgency intent on overtaking the parties from within and challenges of embracing demographic and structural realities on the one hand while catering to a political base often built to oppose those trends on the other.

is merrick garland conservative: *American Public Opinion and the Modern Supreme Court, 1930-2020* Thomas R. Marshall, 2022-04-29 The United States Supreme Court is commonly thought to be an institution far removed from American public opinion. Yet nearly two-thirds of modern Supreme Court decisions reflect popular attitudes. Comparing over 500 Supreme Court decisions with timely nationwide poll questions since the mid-1930s, Thomas R. Marshall shows that most Supreme Court decisions agree with poll majorities or pluralities across time and across issues and often represent Americans' views to the same degree as federal policymakers. This book looks beyond the litigants, economic interests, social movements, organized interest groups, or units of governments typically involved and instead examines how well the Court or the justices represent Americans' views. Using nationwide public opinion, broken down by key subgroups, race, gender, education, and party affiliation, better describes exactly whom Supreme Court decisions and the

justices' individual votes best represent. His book will be of interest to scholars in political science, legal studies, history, and sociology.

is merrick garland conservative: *The Supreme Court* Lawrence Baum, 2018-09-12 Connecting recent events to their effects on the courts, policy, and society, the Thirteenth Edition of *The Supreme Court* provides a brief yet comprehensive introduction to the U.S. Supreme Court. In successive chapters, the book examines major aspects of the Court, including the selection, backgrounds, and departures of justices; the creation of the Court's agenda; the decision-making process and the factors that shape the Court's decisions; the substance of the Court's policies; and the Court's impact on government and American society. Delving deeply into personalities and procedures, author Lawrence Baum provides a balanced explanation of the Court's actions and the behavior of its justices as he reveals its complexity, reach, and influence. Updated with the most recent data displayed in a lively photo program, the new edition of this bestseller is one of the most engaging books on this subject available.

is merrick garland conservative: *May It Please the Court* Brian L. Porto, 2017-07-28 This practical, comprehensive, and engaging introduction to the American judicial system is designed primarily for undergraduate students in criminal justice, liberal arts, political science, and beginning law. It differs from other texts not only by delivering an insider's view of the courts, but also by demonstrating how the judicial process operates at the intersection of law and politics. Unlike the many dull and inaccessible texts in this field, *May It Please The Court* conveys the human drama of civil and criminal litigation. With an updated epilogue, case studies, and discussion questions, this third edition is a robust resource for criminal justice students.

is merrick garland conservative: *The Democracy Fix* Caroline Fredrickson, 2019-04-23 The former special assistant for legislative affairs to President Clinton, president of the American Constitution Society, and author of the damn fine (Elle) *Under the Bus* shows how the left can undo the right's damage and take the country back Despite representing the beliefs of a minority of the American public on many issues, conservatives are in power not just in Washington, DC, but also in state capitals and courtrooms across the country. They got there because, while progressives fought to death over the nuances of policy and to bring attention to specific issues, conservatives focused on simply gaining power by gaming our democracy. They understood that policy follows power, not the other way around. Now, in a sensational new book, Caroline Fredrickson—who has had a front-row seat on the political drama in DC for decades while working to shape progressive policies as special assistant for legislative affairs to President Clinton, chief of staff to Senator Maria Cantwell, deputy chief of staff to Senator Tom Daschle, and president of the American Constitution Society—argues that it's time for progressives to focus on winning. She shows us how we can learn from the Right by having the determination to focus on judicial elections, state power, and voter laws without stooping to their dishonest, rule-breaking tactics. We must be ruthless in thinking through how to change the rules of the game to regain power, expand the franchise, end voter suppression, win judicial elections, and fight for transparency and fairness in our political system, and Fredrickson shows us how.

is merrick garland conservative: *Lawyers and the Rule of Law* Andrew Boon, 2022-10-20 This book examines lawyers' contributions to creating and maintaining the rule of law, one of the pillars of a liberal democracy. It moves from the European Enlightenment to the modern day, exploring the role of judges, government lawyers, and private practitioners in creating, defining, and being defined by, the demands of modern society. The book is divided into 4 parts representing the big themes. The first part considers lawyers' contribution to the growth of constitutionalism, the second, the formulation of roles and identities, and the third the formation of values. The fourth part focuses on the challenges faced by lawyers and the rule of law in the past 50 years, the neoliberal period, and how they challenge both conceptions of lawyers and the rule of law. Each part is illustrated by defining events, from the execution of Charles I, through the Nuremberg Trials, to the insurrection by supporters of Donald Trump in January 2021. Although the focus is on England and Wales, parallel developments in other jurisdictions, Australia, Canada, New Zealand, and the USA, are

considered. This allows analysis of lawyers' historical and contemporary engagement with the rule of law in jurisdictional systems based on the Common Law. Each chapter is thematic, but the passage through the book is broadly chronological.

is merrick garland conservative: Amy Coney Barrett: Supreme Court Justice Kate Conley, 2021-08-01 This title examines the life and career of the lawyer and judge who was confirmed to the US Supreme Court in 2020. Nominated by President Donald Trump in the final months of his term, Barrett became the fifth female justice in the history of the Supreme Court. Features include a glossary, web resources, source notes, and an index. Aligned to Common Core Standards and correlated to state standards. Essential Library is an imprint of Abdo Publishing, a division of ABDO.

is merrick garland conservative: Political Control of America's Courts Helena Silverstein, 2023-01-18 This volume explores the many ways in which politics shapes the allegedly nonpartisan judicial system in America, ranging from how judges are selected to the bench to how they rule when they get there. Each title in the Contemporary Debates series examines the veracity of controversial claims or beliefs surrounding a major political/cultural issue in the United States. Each book gives readers a clear and unbiased understanding of current high-interest issues by informing them about falsehoods, half-truths, and misconceptions-and confirming the factual validity of other assertions-that have gained traction in America's cultural and political discourse. This volume in the series provides a deeply researched and even-handed account of the relationship between America's judicial branch-which is supposed to view law through a nonpartisan lens-and the sometimes poisonous partisanship that is such a notorious factor in the nation's other two branches of government. Is political combat over judicial nominations worse than ever before? What impact is the politicization of the courts having on public faith in the legitimacy of the courts and our wider political system? Was former Supreme Court justice Sandra Day right when she asserted that judicial independence is a bedrock principle of our court system, and we are losing it? This work will provide insights into all these questions and more.

is merrick garland conservative: The Cycles of Constitutional Time Jack M. Balkin, 2020-08-01 What will happen to American democracy? The nation's past holds vital clues for understanding where we are now and where we are headed. In *The Cycles of Constitutional Time*, the eminent constitutional theorist Jack Balkin explains how America's constitutional system changes through the interplay among three cycles: the rise and fall of dominant political parties, the waxing and waning of political polarization, and alternating episodes of constitutional decay and constitutional renewal. If America's politics seems especially fraught today, it is because we are nearing the end of the Republican Party's political dominance, at the height of a long cycle of political polarization, and suffering from an advanced case of what he calls constitutional rot. In fact, when people talk about constitutional crisis, Balkin explains, they are usually describing constitutional rot--the historical process through which republics become less representative and less devoted to the common good. Brought on by increasing economic inequality and loss of trust, constitutional rot threatens our constitutional system. But Balkin offers a message of hope: We have been through these cycles before, and we will get through them again. He describes what our politics will look like as polarization lessens and constitutional rot recedes. Balkin also explains how the cycles of constitutional time shape the work of the federal courts and theories about constitutional interpretation. He shows how the political parties have switched sides on judicial review not once but twice in the twentieth century, and what struggles over judicial review will look like in the coming decades. Drawing on literatures from history, law, and political science, this is a fascinating ride through American history with important lessons for the present and the future.

is merrick garland conservative: The Court v. The Voters Joshua A. Douglas, 2024-05-14 An urgent and gripping look at the erosion of voting rights and its implications for democracy, told through the stories of 9 Supreme Court decisions—and the next looming case *In The Court v. The Voters*, law professor Joshua Douglas takes us behind the scenes of significant cases in voting rights—some surprising and unknown, some familiar—to investigate the historic crossroads that have irrevocably changed our elections and the nation. In crisp and accessible prose, Douglas tells

the story of each case, sheds light on the intractable election problems we face as a result, and highlights the unique role the highest court has played in producing a broken electoral system. Douglas charts infamous cases like: *Bush v. Gore*, which opened the door to many election law claims *Citizens United*, which contributed to skewed representation—but perhaps not in the way you might think *Shelby County v. Holder*, which gutted the vital protections of the Voting Rights Act *Crawford v. Marion County Elections Board*, which allowed states to enforce voter ID laws and make it harder for people to vote *The Court v. The Voters* powerfully reminds us of the tangible, real-world effects from the Court's voting rights decisions. While we can—and should—lament the democracy that might have been, Douglas argues that we can—and should—double down in our efforts to protect the right to vote.

is merrick garland conservative: *Politics by Any Other Name* Benjamin Ginsberg, 2025-08-15 This book critiques a modern U.S. political system characterized by the partisan weaponization of bureaucratic systems and institutions. Competition for political power in the United States today is not just about winning elections. Competing political forces attempt to win at the polls, but they do not bet all their chips on electoral outcomes. Each party has built an institutional bastion within portions of the federal bureaucracy. Each party makes use of judicial and criminal proceedings for partisan purposes—a practice dubbed “lawfare” by the national media. And, acting through various surrogates, each party sponsors “violence by proxy,” to achieve its ends. To the extent that political struggles are fought outside the electoral arena, ordinary Americans have little or no voice in public affairs. And, unfortunately, in the United States today, a good deal of political struggle takes place outside the electoral arena. This book will be used in undergraduate and graduate classes in political parties, electoral politics, and in general U.S. government classes.

is merrick garland conservative: *The Death of Affirmative Action?* Carter, J. Scott, Lippard, Cameron D., 2021-07-14 Affirmative action in college admissions has been a polarizing policy since its inception, decried by some as unfairly biased and supported by others as a necessary corrective to institutionalized inequality. In recent years, the protected status of affirmative action has become uncertain, as legal challenges chip away at its foundations. This book looks through a sociological lens at both the history of affirmative action and its increasingly tenuous future. J. Scott Carter and Cameron D. Lippard first survey how and why so-called colorblind rhetoric was originally used to frame affirmative action and promote a political ideology. The authors then provide detailed examinations of a host of recent Supreme Court cases that have sought to threaten or undermine it. Carter and Lippard analyze why the arguments of these challengers have successfully influenced widespread changes in attitude toward affirmative action, concluding that the discourse and arguments over these policies are yet more unfortunate manifestations of the quest to preserve the racial status quo in the United States.

is merrick garland conservative: *Keeping the Republic* Christine Barbour, Gerald C. Wright, 2019-01-02 I consistently recommend the book to [colleagues] who are teaching American government for the first time. It is easy to use, and it provides all of the basics that any student would ever need to know. It is easy for students to read, and it challenges their preconceived notions about the world... —James W. Stoutenborough, Idaho State University *Keeping the Republic* gives students the power to examine the narrative of what's going on in American politics, distinguish fact from fiction and balance from bias, and influence the message through informed citizenship. *Keeping the Republic* draws students into the study of American politics, showing them how to think critically about who gets what, and how while exploring the twin themes of power and citizenship. Students are pushed to consider how and why institutions and rules determine who wins and who loses in American politics, and to be savvy consumers of political information. The thoroughly updated Ninth Edition considers how a major component of power is who controls the information, how it is assembled into narratives, and whether we come to recognize fact from fiction. Citizens now have unprecedented access to power – the ability to create and share their own narratives – while simultaneously being even more vulnerable to those trying to shape their views. The political landscape of today gives us new ways to keep the republic, and some high-tech ways to lose it.

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